

In re Application of: Francesca LEVI-SCHAFFER et al  
 Serial No.: 10/594,926  
 Filed: April 30, 2008  
 Office Action Mailing Date: September 22, 2011

Examiner: Nora Maureen ROONEY  
 Group Art Unit: 1644  
 Attorney Docket: 32379  
 Confirmation No.: 5770

### **REMARKS**

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 42-45, 47, 48 and 50-52 are in this Application. Claims 42-45, 47, 48 and 50-52 have been rejected under 35 U.S.C. § 112. Claims 42, 43 and 52 have now been amended herewith.

#### **Amendments To The Claims**

Claims 42 and 52 have now been amended to include the limitation of the second target recognition component binding to a marker selected from the group consisting of IgE, cKIT, CCR3, IL-5R and FcεR1 (claim 42) or IgE, cKIT and CCR3 (claim 52). Support for such limitations is found throughout the instant specification, for Example, page 11, lines 1-30:

"Preferably the recognition component is a bi-specific F(ab') conjugate, i.e., two F(ab') units linked together.

In one particular embodiment, said target cell of the bi-specific complex is a mast cell, and said second target is one of IgE, cKIT and FcεRI.

In one specific embodiment, the invention provides a bi-specific complex for targeting a target cell, wherein said complex comprises a bi-specific F(ab') conjugate, recognizing IRp60, or any homologues thereof, and IgE.

In this specific embodiment, the F(ab') units correspond to F(ab') fragments of two different antibodies, one against IRp60 and one against IgE.

In another specific embodiment, the invention provides a bi-specific complex for targeting a target cell, wherein said complex comprises a bi-specific F(ab') conjugate, recognizing IRp60 or any homologues thereof, and cKIT.

In a further specific embodiment, the invention provides a bi-specific complex for targeting a target cell, wherein said complex comprises a bi-specific F(ab') conjugate, recognizing IRp60 or any homologues thereof, and FcεRI.

Any one of the above-mentioned bi-specific complexes may function as an inhibitor of mast cell activity.

In another particular embodiment, said target cell is an eosinophil, and said second target is one of IL-5 receptor (IL-

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5R) and the receptor to eotaxin (CCR3). Thus, the bi-specific complex of the invention may be a complex comprising a bi-specific F(ab') conjugate, recognizing IRp60 or any homologues thereof, and IL-5R or CCR3. Said complex may function as an inhibitor of eosinophil activity."

Claim 43 has now been amended to include the limitation of the binding of the bi-specific antibody to *any one of a mast cell, an eosinophil and/or a basophil* inhibiting allergic-type reactions.

Support for such limitations is found throughout the instant specification, for Example, page 11, lines 11-16 and 27-29, and page 12, lines 1-4:

"The bi-specific complexes described in the present invention may function as inhibitors of allergy effector cell activity, and are especially suitable for treating conditions induced by one of allergic reactions and mast cell- and/or eosinophil- and/or basophil-mediated reactions."

### **35 U.S.C. § 112 Rejections**

The Examiner has rejected claims 42-45, 47, 48 and 50-52 under 35 U.S.C. first paragraph, asserting that the specification, while being enabling for: a bispecific antibody comprising a first target recognition component which specifically binds to the inhibitory receptor IRp60; and a second target recognition component which specifically binds to a IgE, cKIT, CCR3, IL-5R or FcεR1; and a method of treating allergies using a bi-specific antibody comprising a first target recognition component which specifically binds to the inhibitory receptor IRp60; and a second target recognition component which specifically binds to a IgE, cKIT or CCR3, is not enabled for an antibody or method as claimed in pending claims 42 and 52. The Examiner's rejection is respectfully traversed. Claims 42, 43 and 52 has now been amended.

While traversing the rejection, but in order to expedite prosecution of this case, Applicant has elected to amend claims 42 and 43 in line with Examiner's opinion of the enabled and supported subject matter, thereby rendering moot the

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rejections in this case. Further, claim 43 has now been amended to include the limitation of the claimed bi-specific antibody inhibiting allergic-type reactions when binding to any one of a mast cell, an eosinophil and/or a basophil. Support for such amendments has been acknowledged by the Examiner, and is further detailed hereinabove.

**Conclusion**

In view of the above amendments and remarks it is respectfully submitted that claims 42-45, 47-48, 50, 51 and 52 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

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